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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,370	03/09/2004	Charles N. Shaver	200314661-1	2281

22879 7590 06/22/2006

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EXAMINER

SHIN, CHRISTOPHER B

ART UNIT PAPER NUMBER

2181

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/796,370	<b>Applicant(s)</b> SHAVER ET AL.	
	<b>Examiner</b> Christopher B. Shin	<b>Art Unit</b> 2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                                         |                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                             | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03092004 (1 SHEET)</u> . | 6) <input type="checkbox"/> Other: ____.                                                |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 24-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. As in claims 24-25, the limitations of claims 24-25 lack practical application. In addition, the claimed "medium" includes "transmission media", as supported by the specification, i.e., [0017], is not a patentable subject matter.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 10-11, 16 & 24-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee et al. (5,664,123).

- a. In figures 1-3 and the respective descriptive sections, the Lee reference teaches all of the limitations of the claimed invention as follows:

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Claims 1-4, 10Lee et al. (5,664,123)

- A computing system comprising:
  - (10)
- a port configured to operably connect an external device to the computing system;  
and
  - (26)
- a mode controller operably connected to the port and configured to configure the  
port
  - (11, 19, 20)
- between a powered mode and a non-powered mode in accordance with a  
programmatically selected port configuration
  - column 3, lines 47-68
- non-powered mode/powered mode
  - feature of 9-pin communication/6-pin communication plus  
power, see also column 3, lines 47-68
- 2. the port is a serial port including one or more pins
  - column 1, line 8
- 3. a non-powered port logic connected to the port and being configured to operate  
the serial port in the non-powered mode;
  - feature of 9-pin communication , see also column 3, lines  
47-68
- a powered port logic connected to the port and being configured to apply power to  
the port to operate the port in the powered mode; and
  - 6-pin communication plus power, see also column 3,  
lines 47-68
- a switching logic configured to switch operations between the non-powered port  
logic and the powered port logic based on the programmatically selected port  
configuration.
  - Figures 2-3
- 4. the non-powered port and the powered port logic are operably connected to at  
least one pin of the port
  - feature of 9-pin communication/6-pin communication plus  
power, see also column 3, lines 47-68
- 10. a plurality of ports configured to operably connect an external device to the  
computing system
  - (312, 311,24,26)

Claims 11 & 16Lee et al.

- A method for controlling a port, comprising:
  - (10)
- programmatically setting a mode control signal that identifies whether a port is to be
- in a powered mode or a non-powered mode;
  - (11, 19, 20), column 3, lines 47-68

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- if the mode control signal indicates the powered mode, applying power to the port;
  - feature of 9-pin communication/6-pin communication plus power, see also column 3, lines 47-68
- if the mode control signal indicates the non-powered mode, disconnecting power to the port and configuring the port to process data signals.
  - feature of 9-pin communication/6-pin communication plus power, see also column 3, lines 47-68
- 16. the programmatically setting step includes generating an electrical signal to set the mode control signal
  - feature of (11,19,20)

b. As can be seen from above details, since the Lee reference teaches all of the claimed limitations, the claims 1-4, 10-11 & 16 are anticipated by the teachings of the Lee reference.

c. As for claims 24-28, due to the similarity between the claims, the above teachings of the claims 1-4, 10-11 & 16 are similarly applied to claims 24-28.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5-9, 12-15, 17-23, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (5,664,123).

d. The teachings of the parent claims 1-4, 10-11, 16 & 24-28 are applied here where it's appropriate.

e. The following discussion contains official notice clauses & the examiner will further access USPAT & USPGPUB for the future supports, when questioned or challenged.

f. As for claims 5, 12, 13 are directed to the same gist of the parent claims, but further adds limitations regarding ring indicator & data carrier detect circuits; however, such limitations are obvious additions to the Lee's system. This is because, as can be seen from the Lee's system, RS-232 communication protocol standard are commonly used protocol and such protocol system includes many forms of ring detector/data carrier detect circuits; therefore, one skilled in the art can add such commonly known desired function. The examiner takes official notice on such well-known common knowledge on ring/data carrier detectors used in RS-232 communication protocol standard. In addition, the Lee reference also suggests/motivates to disconnect or switch three lines (i.e., not needed for the actual data communication) to power lines. Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art can utilize in the ring/data carrier environment system, as discussed above for the benefit of efficient usage/reducing ports.

g. As for claims 6-9, 14-15, 17-23 & 28 further add limitations regarding to monitoring, displaying, or/and controlling ports of the earlier. However, such limitations are well known and commonly practiced in computing, data processing & controlling system. It is commonly known and commonly practiced as Graphical User Interface (GUI) & examiner takes official notice on such well-

known and commonly practiced technique. One skilled in the art knows the motivation and benefits of using such GUI option for easier & simpler notification and controlling of functioning systems such as Lees. However, in many situations, the GUI is not required, but desirable at a higher cost, to properly function. Therefore, it would have been obvious at the invention was made to one having ordinary skill in the art to add such commonly utilized such well known monitoring/displaying options for the easier & simpler monitoring/controlling a system.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher B. Shin whose telephone number is 571-272-4159. The examiner can normally be reached on 6:30-5:00 M,Tu,Th,F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher Shin  
Primary Examiner  
Of 2181

June 20, 2006  
cbs

A handwritten signature in black ink, appearing to read 'C. Shin', written over a horizontal line.